IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Writ Petition No.3039 of 2007

(Prabhakar s/o Vitthalrao Kardekar v. The State of Maharashtra and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri M.B. Agasti, Advocate for Petitioner.
Smt. A.R. Taywade, AGP for R- 1 to 4.
Shri M.M. Sudame, Advocate for R- 5.

CORAM : D.K. Deshmukh & R.C. Chavan, JJ.
DATE : 20 th September, 2007

On a motion made by the learned Advocate for the petitioner, the petition is allowed to be withdrawn with liberty to the petitioner to adopt alternate remedy.

The learned AGP for respondents No.2 to 4 and the learned Advocate for respondent No.5 state that in case the petitioner adopts the alternate remedy of filing the appropriate proceedings before the Civil Court, they waive their right to have statutory notice issued to them; provided before approaching the Civil Court, the petitioner first serves the copies of plaint and application for interim relief on respondents No.2 to 5. They also state that the delivery of copies on the Advocates on record for respondents No.2 to 5 in this petition would be held good service on respondents No.3 and 4.

In view of this, the petition is disposed of.

JUDGE JUDGE

pdl